

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JULIO CALAFAT,	:	
Plaintiff	:	
	:	
v.	:	Civil Action No. 05-754(FSH)
	:	
CHARLES W. KRANZ, NJ, et al.	:	REPORT & RECOMMENDATION
	:	
Defendants	:	

This matter having come before the Court as a result of the Order dated December 21, 2006;

and the Court ordered plaintiff to appear on January 8, 2007 and show cause “why sanctions, including a recommendation that the United States District Judge dismiss the Complaint,” should not be imposed for his failure to participate in discovery;

and the Order further notifying the plaintiff that his “[f]ailure to appear on January 8, 2007 at 1:00 p.m. will result in a recommendation that the United States District Judge that Her Honor dismiss the Complaint;

and the plaintiff having failed to appear on January 8, 2007;

and for the additional reasons set forth on the record on January 8, 2007;

and for good cause shown,

IT IS on this 8th day of January, 2007

RECOMMENDED that United States District Judge dismiss the Complaint pursuant to Fed. R. Civ. P. 37. The parties have ten (10) days from receipt of this Recommendation to file and serve objections;

IT IS FURTHER ORDERED that counsel for the defendants shall serve a copy of this Report and Recommendation upon the plaintiff by regular mail and certified mail/return receipt

requested and file the proof of service with the Clerk of the Court; and

IT IS FURTHER ORDERED that all deadlines set forth in the Order dated October 27, 2006 that require action from the defendants are vacated but all other terms of the Order shall remain in full force and effect.

s/Patty Shwartz

United States Magistrate Judge